



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

April 11, 2025

By ECF

The Honorable Philip M. Halpern
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *Students for Fair Admissions v. United States Military Academy at West Point, et al.*, No. 23 Civ. 8262 (PMH)

Dear Judge Halpern:

Defendants the United States Military Academy at West Point (“West Point”); Daniel Driscoll, Secretary of the Army; Lieutenant General Steven Gilland, Superintendent of West Point; and Colonel Rance Lee, Director of Admissions for West Point (together, “Defendants” or the “Government”) write respectfully in response to the Court’s Order dated February 25, 2025, *see* Dkt. No. 127, to inform the Court that West Point has taken all actions required to comply with the Executive Orders and agency policy memoranda referenced in Defendants’ February 20, 2025 letter, *see* Dkt. No. 125, and race and ethnicity are no longer factors in its admissions process. Defendants produced documents memorializing this change to West Point’s admissions process to Plaintiff on April 3, 2025, and the parties participated in an initial meet and confer regarding this change on April 8, 2025.

At this time, the parties are continuing to discuss the details of West Point’s new policy and its effect on this litigation. At the same time, however, the parties are actively engaged in discovery regarding a now-defunct admissions policy, with fact and expert discovery set to close on June 3, 2025, and December 8, 2025, respectively. *See* Dkt. No. 127.

To allow the parties to focus all efforts on determining how to proceed in light of the change in policy described above, Defendants respectfully request, with Plaintiff’s consent, that the Court stay this case—including all outstanding discovery deadlines—for sixty days.¹ A sixty-day stay will conserve both judicial and party resources and will promote the efficient and orderly disposition of this case. Defendants propose a further status report to be due on June 10, 2025. As already noted, Plaintiff consents to Defendants’ request for a sixty-day stay.

¹ The Fourth Circuit recently granted an unopposed request for an abeyance in *Students for Fair Admissions, Inc. v. The United States Naval Academy, et al.*, No. 24-2214, Dkt. No. 26 (4th Cir. Apr. 1, 2025), “to allow the parties a reasonable amount of time to discuss the details of the [Naval] Academy’s new policy and to consider the appropriate next steps for th[e] litigation.” And the defendants’ request for a similar abeyance, on consent, is pending in *Students for Fair Admissions v. United States Air Force Academy, et al.*, No. 24 Civ. 3430, Dkt. No. 23 (D. Colo. Apr. 11, 2025).

We thank the Court for its consideration of this status update and abeyance request.

Respectfully,

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